

IN THE SUPREME COURT OF TENNESSEE

AT NASHVILLE

FILED

NOT FOR PUBLICATION

February 1, 1999

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**Cecil W. Crowson
Appellate Court Clerk**

EDMUND GEORGE ZAGORSKI,)

Appellant,)

V.)

STATE OF TENNESSEE,)

Appellee.)

ROBERTSON CIRCUIT

No. 01SO1-9711-CC-00240

ORDER DENYING PETITION FOR REHEARING

Appellant Edmund George Zagorski has filed a petition to rehear this cause pursuant to Tenn. R. App. P. 39 contending that our opinion conflicts with and/or overlooks principles of law regarding trial counsel's duties to investigate mitigation evidence and fully advise a defendant regarding a potential mitigation defense. We have reviewed all of the arguments raised in the petition, and we find them to be without merit.

Accordingly, after due consideration, the court is of the opinion that the petition should be and the same is hereby denied.

PER CURIAM